

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
Civil Action No. 3: 05-CV-96

BRUNSWICK BOWLING & BILLIARDS  
CORPORATION,

Plaintiff,

v.

POOL TABLES PLUS, CYNTHIA  
KEMPISTY d/b/a POOL TABLES PLUS, and  
RAY KEMPISTY d/b/a POOL TABLES  
PLUS,

Defendants.

**ORDER FOR VOLUNTARY  
DISMISSAL WITHOUT  
PREJUDICE**

THIS CAUSE being heard by the undersigned on the motion of Plaintiff Brunswick Bowling and Billiards Corporation, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, for an order dismissing without prejudice the claims it has asserted against Defendants Pool Tables Plus, Cynthia Kempisty d/b/a Pool Tables Plus, and Ray Kempisty d/b/a Pool Tables Plus, and it appearing to the Court that Defendants have not served Plaintiff an answer or motion for summary judgment, and for good cause shown, the motion should be allowed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Motion for Voluntary Dismissal without Prejudice be and is hereby granted.

Signed: May 22, 2006



Robert J. Conrad, Jr.  
United States District Judge

